

Case No. 1:23-cv-1042-RP

By: /s/ Andrew MacRae
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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July, 2024, I served a copy of these Interrogatories, via e-mail and/or U.S. Mail to the following counsel of record:

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/s/ Steven C. Levatino
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DEFINITIONS

For purposes of these requests, the terms used herein shall have the following meanings:

1. “Communication,” “Document,” “Identify” (with respect to persons and documents), “Parties,” “Person” and “Concerning” shall have the same meaning as defined in Local Rule CV-26.
2. “Complaint” means the most recently amended Complaint filed by LCMS in this lawsuit.
3. “LCMS” means Plaintiff, The Lutheran Church—Missouri Synod, a Missouri nonprofit corporation.
4. “CTX” or “You” means Concordia University Texas, Inc., as well as its agents, employees, attorneys, investigators and all other “persons” acting or purporting to act on its behalf with respect to any matter inquired about in these discovery requests.

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Production Requests

1. The minutes from all CTX Board of Regents meetings from January 2016 to date.
2. The agendas from all CTX Board of Regents meetings from January 2016 to date.
3. The notes from all CTX Board of Regents meetings from January 2016 to date.
4. All documents presented to CTX Board of Regents in meetings held from January 2016 to date.
5. Any recordings of CTX Board of Regents meetings from January 2016 to date.
6. Any documents presented to CTX Board of Regents at its November 8, 2022, meeting.
7. Any video presentations shown to CTX Board of Regents at its November 8, 2022, meeting.
8. Any computer-generated presentations shown to CTX Board of Regents at its November 8, 2022, meeting.
9. Any documents presented to CTX Board of Regents at its April 4, 2023, meeting.
10. Any video presentations shown to CTX Board of Regents at its April 4, 2023, meeting.
11. Any computer-generated presentations shown to CTX Board of Regents at its April 4, 2023, meeting.
12. Any communications between officers or agents of CTX and The LCMS regarding CTX amendments to its governing documents or policies occurring between 2021 to the present (these amendments are collectively referred to as “CTX Amendments”).
13. The communications between members of CTX Board of Regents relating to CTX Amendments, including communications leading up to the passing of CTX Amendments and the April 4, 2023, Board of Regents meeting reaffirming the passing of CTX Amendments.
14. The communications between any member of CTX Board of Regents and Defendant Christian relating to CTX Amendments, including communications leading up to the passing of CTX Amendments and the April 4, 2023, Board of Regents meeting reaffirming the passing of CTX Amendments.
15. The communications between any member of CTX Board of Regents and Kristi Kirk relating to CTX Amendments, including communications leading up to the passing of CTX

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Amendments and the April 4, 2023, Board of Regents meeting reaffirming the passing of CTX Amendments.

16. The communications between any member of CTX Board of Regents and Defendant Bannwolf relating to CTX Amendments, including communications regarding the passing of CTX Amendments and the April 4, 2023, Board of Regents meeting reaffirming the passing of CTX Amendments.

17. Any preliminary drafts of The CTX Amendments.

18. The communications between members of CTX Board of Regents relating to the effect of CTX Amendments.

19. The communications between any member of CTX Board of Regents and anyone other than another board member, Defendant Christian, Defendant Bannwolf or Kristi Kirk relating to the effect of CTX Amendments.

20. The documents reflecting real property owned by CTX, or in which CTX has an ownership interest, even if that interest is subject to a lien or any other encumbrance.

21. The documents reflecting any attempt to sell or otherwise market real property owned by CTX, or in which CTX has an ownership interest, even if that interest is subject to a lien or any other encumbrance.

22. The communications between CTX Board of Regents members regarding the seating of board members following the passage of CTX Amendments.

23. The communications between any CTX Board of Regents member and Defendant Christian regarding the seating of board members following the passage of CTX Amendments.

24. The communications between any CTX Board of Regents member and Kristi Kirk regarding the seating of board members following the passage of CTX Amendments.

25. The communications between any CTX Board of Regents member and Defendant Bannwolf regarding the seating of board members following the passage of CTX Amendments.

26. Any communications with individual donors regarding CTX's actions in passing CTX Amendments.

27. Any communications with any individual (other than your attorneys) advising CTX regarding CTX Amendments.

28. The financial statements on a quarterly basis and annual basis of CTX including balance sheet, income statements, general ledger and audit reports from 2016 to present.

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29. Any communication between CTX and any accreditation or governance organization regarding CTX's status within The LCMS as well as CTX Amendments.

30. Any communication between CTX and the faculty at CTX regarding CTX's status within The LCMS as well as CTX Amendments.

31. Any communication between CTX and the church workers at The LCMS regarding CTX's status within The LCMS as well as CTX Amendments.

32. Any correspondence from the individual recipients in response to Defendant Christian's email, dated November 9, 2022 (CTX 000247).

33. Any documents indicating the total enrollment of CTX from January 2016 to present.

34. Any documents reflecting a breakdown of categories of CTX students, including residential, on-line, graduate and commissioned workers from January 2016 to present.

35. The correspondence between CTX and Concordia Plan Services ("CPS") relating to CTX's withdrawal from any of the plans administered by CPS.

36. The correspondence between CTX and the Texas District of The LCMS, or its officers, regarding CTX Amendments.

37. The correspondence between CTX and the Texas District of The LCMS, or its officers, regarding the seating of CTX Board of Regents members since January 1, 2016.

38. Any documents relating to CTX's refusal to seat regents elected at the 2023 Synod Convention.

39. Any documents relating to resolutions adopted at the 2023 Synod Convention including all documents relating to Defendant Christian's, Defendant Bannwolf's or CTX's reactions or responses to these resolutions.

40. Any documents reflecting how each individual member of the CTX Board of Regents voted relating to each of the key resolutions presented in meetings on November 8, 2022, and April 4, 2023, as well as any documents reflecting the views of such members relating to CTX's changes to its governing documents and policies.

41. The correspondence between CTX and Texas District of The LCMS, or its officers, regarding the current lawsuits between CTX and The LCMS.

42. The correspondence between CTX and the Texas District of The LCMS regarding the current dispute between CTX and The LCMS.

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43. The documents reflecting any mortgages on real property owned by CTX including, but not limited to, deeds, loan agreements, security interest agreements, and guarantee agreements.

44. Any appraisals or valuations of real property owned by CTX, conducted within the last 10 years.

45. All correspondence between CTX and any and all insurers, including but not limited to any reservation of rights letters from Hanover.

46. All documents or contracts reflecting existing or future obligations under contracts or security against indebtedness that either involve real estate or a portion of operating revenue/expense budgets. This shall include but not be limited to any agreements that promise revenues from a dorm, revenues from a cafeteria or revenues from students.